

Practitioner's Docket No. MBIO99-030CP1M (formerly 210147-0023/6U1)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McCarthy Sean A., et al  
Application No.: 09/578,063 Group No.: 1646  
Filed: May 24, 2000 Examiner: Jiang, Dong  
For: TANGO 294, A LIPASE-LIKE PROTEIN (formerly PROTEINS HAVING  
DIAGNOSTIC, PREVENTIVE, THERAPEUTIC, AND OTHER USES)

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. SECTION 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed  
July 14, 2003 finally rejecting claims: 8-10, 24-26, 28-30, 33-36 and 38-47.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity.  
☐ a small entity.

12/16/2003 YPOLITE1 00000037 501668 09578063  
02 FC:1201 172.00 DA

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:


MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop AF, Commissioner for  
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37 C.F.R. SECTION 1.8(a) 37 C.F.R. SECTION 1.10\*

☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"  
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Signature  
Sean Hunziker  
(type or print name of person certifying)

Date: December 12, 2003

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thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express  
Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this  
requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. Section 1.17(b), the fee for filing the Appeal Brief is:

☐ small entity \$165.00

☒ other than a small entity \$330.00

Notice of Appeal fee due \$330.00

**3. EXTENSION OF TERM**

(a) ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this \$0.00 request \_\_\_\_\_

or

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

or

(c) ☒ Applicant is requesting an extension of time concurrently herewith.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$330.00

Extension fee (if any) \$0.00

**TOTAL FEE DUE** \$330.00

**5. FEE PAYMENT**

☐ Attached is a check in the sum of \$ \_\_\_\_\_.

☒ Charge Account No. 501668 the sum of \$330.00.

A duplicate of this transmittal is attached.

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6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 501668.

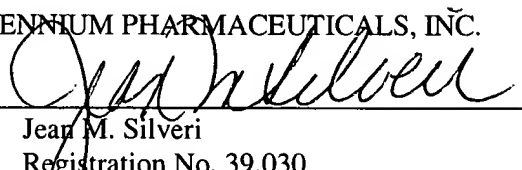
AND/OR

☐ If any additional fee for claims is required, charge Account No. 501668.

December 12, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By

  
Jean M. Silveri

Registration No. 39,030

40 Landsdowne Street

Cambridge, MA 02139

Telephone - 617-679-7336

Facsimile - 617-551-8820